



## Senate

General Assembly

**File No. 501**

February Session, 2008

Substitute Senate Bill No. 162

*Senate, April 7, 2008*

The Committee on Education reported through SEN. GAFFEY of the 13th Dist., Chairperson of the Committee on the part of the Senate, that the substitute bill ought to pass.

### **AN ACT CONCERNING THE WITHDRAWAL OF A CHILD FROM ENROLLMENT IN A PUBLIC SCHOOL.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 10-184 of the general statutes is repealed and the  
2 following is substituted in lieu thereof (*Effective July 1, 2008*):

3 (a) All parents and those who have the care of children shall bring  
4 them up in some lawful and honest employment and instruct them or  
5 cause them to be instructed in reading, writing, spelling, English  
6 grammar, geography, arithmetic and United States history and in  
7 citizenship, including a study of the town, state and federal  
8 governments. Subject to the provisions of this section and section 10-  
9 15c, each parent or other person having control of a child five years of  
10 age and over and under eighteen years of age shall cause such child to  
11 attend a public school regularly during the hours and terms the public  
12 school in the district in which such child resides is in session, unless  
13 such child is a high school graduate or the parent or person having  
14 control of such child is able to show that the child is elsewhere

15 receiving equivalent instruction in the studies taught in the public  
16 schools.

17 (b) The parent or person having control of a child sixteen or  
18 seventeen years of age who does not intend to provide equivalent  
19 instruction to such child pursuant to subsection (a) of this section may  
20 consent, as provided in this [section] subsection, to such child's  
21 withdrawal from school. Such parent or person shall personally appear  
22 at the school district office and sign a withdrawal form. The school  
23 district shall provide such parent or person with information on the  
24 educational options available in the school system and in the  
25 community.

26 (c) The parent or person having control of a child five years of age  
27 shall have the option of not sending the child to school until the child  
28 is six years of age and the parent or person having control of a child six  
29 years of age shall have the option of not sending the child to school  
30 until the child is seven years of age. [The] Unless the parent or person  
31 having control of such child elects to provide equivalent instruction  
32 pursuant to the provisions of subsection (a) of this section, the parent  
33 or person shall exercise such option by personally appearing at the  
34 school district office and signing an option form. The school district  
35 shall provide the parent or person with information on the educational  
36 opportunities available in the school system.

37 (d) (1) If the parent or other person having control of a child elects to  
38 provide the equivalent instruction pursuant to subsection (a) of this  
39 section to such child, other than through enrollment of such child in a  
40 nonpublic school, such parent or other person shall provide written  
41 notice pursuant to this subsection to (A) (i) the principal of the school  
42 the child is attending, or (ii) if such child is not enrolled in school, to  
43 the principal of the school such child would otherwise attend due to  
44 the child's residency, or (B) the superintendent of schools for the local  
45 or regional school district in which such school is located. The parent  
46 or other person having control of such child shall provide notice in  
47 accordance with the provisions of this subsection each time such child

48 resides in a school district other than the district for which such notice  
 49 was initially provided.

50 (2) Notice provided pursuant to this subsection shall (A) state that  
 51 the parent or other person having control of such child intends to  
 52 provide the child with equivalent instruction pursuant to subsection  
 53 (a) of this section, (B) be signed by the parent or other person having  
 54 control of such child, and (C) be delivered by certified mail, return  
 55 receipt requested. The principal or superintendent and the local or  
 56 regional board of education employing the principal or superintendent  
 57 shall immediately accept such notice as evidence that the child is  
 58 receiving such equivalent instruction.

This act shall take effect as follows and shall amend the following sections:

Section 1	July 1, 2008	10-184
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**KID**      *Joint Favorable Subst. C/R*

ED

**ED**      *Joint Favorable Subst.*

The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either chamber thereof for any purpose:

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**OFA Fiscal Note**

**State Impact:** None

**Municipal Impact:** None

**The Out Years**

**State Impact:** None

**Municipal Impact:** None

**OLR Bill Analysis****sSB 162*****AN ACT CONCERNING THE WITHDRAWAL OF A CHILD FROM ENROLLMENT IN A PUBLIC SCHOOL.*****SUMMARY:**

The law generally requires parents to enroll their children in public school unless they are receiving equivalent instruction elsewhere. This bill creates a uniform procedure for parents to notify their local public schools when their children are being home schooled. They must provide a written notice stating that they, or someone else who has control of the child, intend to provide equivalent instruction pursuant to existing state law. They must sign the document and send it certified mail, return receipt requested, to either:

1. the principal of the public school the child is attending;
2. if the child is not enrolled, the principal of the school the student would attend based on residency; or
3. the superintendent of schools for the local or regional district in which the appropriate school is located.

The bill directs principals and superintendents and the local or regional boards of education that employ them to immediately accept the notice as evidence that the child is receiving equivalent instruction.

Parents and others having control of the child must comply with the bill's notice requirements each time they move into a different school district.

The bill does not change existing in-person notification requirements when parents who do not intend to provide equivalent instruction (1) consent to the withdrawal of a 16- or 17-year old or (2)

opt not to enroll their child until he or she reaches age seven.

EFFECTIVE DATE: July 1, 2008

**COMMITTEE ACTION**

Select Committee on Children

Joint Favorable Substitute Change of Reference

Yea 9 Nay 0 (02/28/2008)

Education Committee

Joint Favorable Substitute

Yea 27 Nay 1 (03/18/2008)